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15 Jan 04

Addendum #4

RFP# B03253

Title: Copier Equipment and Services

Submission Deadline: EXTENDED to 27 January 04 @ 3:15 PM

- Note that the deadline for submission has been extended.
- The pre-proposal meeting summary is posted in this addendum.
- No further questions shall be entertained.

A handwritten signature in black ink, appearing to read "Jerome D. Moynihan".

Jerome D. Moynihan, C.P.M., CPPO
Administrator of Purchasing Systems

Questions from Pre-Bid Conference
January 8, 2004

1. Q: If information contained in an addendum is posted late, will there be an extension?
A: The State may post additional addenda to the RFP up to five days prior to RFP submission deadline. The State will grant an extension to the deadline if it is deemed necessary.
2. Q: If we are not one of the top three vendors, does that mean that we don't have the ability to do business with the State of Rhode Island?
A: Not under this award.
3. Q: Does this replace the MPA?
A: This is going to be a new MPA.
4. Q: How long is this contract?
A: It's a multi-year contract. The term will be three years with two options to extend for an additional year.
5. Q: What about the potential to cancel the contract under the 60 day cancellation clause? How will this effect leases?
A: Existing leases would not be effected by contract cancellation.

The State does not typically cancel existing leases or contracts. This provision was included to cover non-funding or performance issues, but generally it is not the State's practice to cancel contracts.
6. Q: What would be the only reason to cancel a lease?
A: It is the State's intent that leases will only be cancelled due to availability of funds or for non-performance.
7. Q: Please explain the State's 3rd party billing restrictions and how the State will handle Leasing Finance Companies. Will the vendor have to carry the lease?
A: Yes. The State only makes payments to the contracted vendor. From an auditing point of view, it is important that the State keeps a clean paper trail. The contracted vendor would have to carry the paper or the State would pay the contracted vendor and then vendor could then pay the finance company.
8. Q: Would you accept if payments were to be issued only to one place if that place were a 3rd party vendor.
A: No. Only vendors who submit bids and are awarded will be paid. There are no 3rd party payment plans allowed.

[To Purchasing Team: [37-2-33] is the Availability of Funds section, what is the exactly Section discussing payment to only contracted vendor (questions 7 & 8) Please advise.]

9. Q: Currently, if XYZ manufacturer submits a bid, but the local vendor is supplying the merchandise, the State pays XYZ manufacturer. The manufacturer is carrying the paper on the lease. Will this method continue?

A: Yes. Once again, there must be a clean paper audit trail. The State pays the vendor that submits bids, not a 3rd party. Manufacturers may participate in this solicitation and may submit bids alone or on behalf of the local vendor.

10. Q: Rhode Island is asking the local vendor to carry the paper vs. the manufacturer or leasing company?

A: Again, the State pays the firm that bids and is awarded a MPA. If an item is leased, then the bidder who received the State check would have to pay the financing firm.

11. Q: Page 15 of the RFP: Equipment must be available for lease for a two-year period. Does the State want 24 month leases for the equipment as well?

A: No. This clause does not refer to a two year lease, but states that the equipment included in the proposal must be current enough so that two years from now it should still be available for purchase or lease. Proposals should not include machines that will be discontinued in the near future.

12. Q: Suppose one year from the contract start date, a copier is replaced by a newer model, would the Vendor substitute the newer model for the model bid on at the same price?

A: If the current equipment is no longer available and upgrades or model changes are necessary, the proposed model must be offered to the State at a comparable price. Substitutions should be recommended to the Buyer and all equipment changes would be made at the discretion of the Buyer.

13. Q: Who signs lease agreements?

A: Currently, the State issues a purchase order instead of signing a lease, and that practice is likely to continue. Without a purchase order, payment becomes a problem for vendors. Vendors are to assume the purchase order will act as the agreement. The lease agreement, per se, is not signed but incorporated, by reference, into the PO.

14. Q: There is a Cancellation for Convenience clause within the current State POs. This could inadvertently result in higher pricing extended to the State because a premium may be added for protection. Can this be removed?

A: It is not the State's typical practice to cancel for convenience. This requirement is included in all Purchase Orders because it required by law. This clause protects the State from vendor and/or equipment non-performance and is mandated by Rhode Island laws.

To be Discussed with Peter & Helen:

Should this clause be removed from Copier Purchase Orders?

VENDOR COMMENT: During the Pre-Bid Conference, there was a discussion regarding cancellation for convenience and the fact that vendors may charge 4-5% higher because of the PO clause.

15. Q: A Non-Appropriation Clause is also included in the Purchase Orders and in this RFP. Is this something that the State would consider also removing?

A: No. The Availability of Funds clause states that all multi-year contracts "shall be subject to the availability of funds" and is required by Rhode Island General Law [37-2-33].

16. Q: P.7 How will the Supersede clause impact existing leases?

A: *If a current incumbent wins this bid, the State reserves the right to replace the old MPA with the new MPA.*

If you have an existing lease with the State for equipment and you are not successful in this particular solicitation, you still maintain the existing leases. Existing leases will not be canceled and will remain in effect.

17. Q: What happens with existing accounts that you have under lease or for owned equipment and you are servicing them and you are not awarded as a vendor with this RFP and the agencies or departments still want to do business with you?

A: *If you have existing equipment, the equipment will remain, as will any existing leases.*

18. Q: If an expiring copier was provided by a vendor who was not awarded the MPA resulting from this RFP, will the agency be able to replace the copier with that vendor's equipment and services?

A: *No, agencies may only order from vendors with valid MPAs.*

19. Q: Will price evaluation for the awards be based solely on 36 month lease pricing?

A: *All components of pricing will be examined. The exact scoring and evaluation methodology will be decided upon by the evaluation team and has not yet been determined.*

20. Q: What is the delivery time frame required for new equipment?

A: *Equipment must be delivered to specified location 5 days following equipment order.*

21. Q: If you Evaluate based on all criteria, how would one put those criteria for evaluation together in terms of 36,48,60??

A: *All components of pricing will be examined. The exact scoring and evaluation methodology will be decided upon by the evaluation team and has not yet been determined.*

22. Q: Do you see multiple vendors being awarded?

A: *The final decision will be based upon the proposal responses received. The State will ultimately select the scenario that best meets the needs of the State though the intent is to consolidate volume as much as is feasible. The final determination will be made based on the competitiveness of the proposals as well as other evaluation criteria.*

23. Q: So you want each of our product lines and equipment priced out: purchasing, accessories, leasing, service, supplies?

A: *Yes.*

24. Q: Do you want separate pricing for the After market services and supplies?

A: *Yes.*

25. Q: What is the assumed Warranty Period?

A: *Standard Manufacturer Warranty.*

26. Q: Models change, new features change, accessories change, digital technology. After the contract is awarded, if new technology comes out a year later, can a vendor put it on contract?

A: *It will be the awarded vendor(s)'s responsibility to alert the State to any technology changes or new additions that might interest the State. It is at the Buyer's discretion to decide whether the contract will be amended to include these additional recommendations.*

27. Q: How should Bidders price out different accessories? What if different manufacturers have different features?

A: *The pricing grids contain a worksheet for pricing of all accessories. Vendors are also asked to provide information on all accessories included with the base models, price additional add-ons, as well as recommend additional accessories not listed in the pricing grids. Accessories will be standardized across models when analyzing results.*

28. Q: Are agencies able to try out other vendors' equipment and trial different products?

A: *Agencies will have the option to trial machines from any and all of the awarded vendors. Currently, the State has a multiple award MPA for copiers and the agency can test equipment from any vendor who is contracted under the existing MPA.*

29. Q: The RFP asks for bids on 15, 20, 30, 50, 80 Copiers per Minute machines, what about those copiers in between?

A: *The pricing grids allow the option to provide two different machines per copier band. Bidders should make those recommendations as the second proposed copier option for a band, when applicable.*

30. Q: Why must products be eligible for inclusion in GSA?

A: *The reason we included the GSA requirement was to limit the manufacturing location. Products from China cannot be provided through the GSA.*

31. Q: 24 hour toll free access number for service calls. Is this necessary? This may result in an additional cost to the vendor, which may be passed to the State.

A: *Rhode Island will not require a 24 hour toll free number for service calls. A toll free number for all calls must be available to all State contract users during the normal business hours of 8:00AM – 5:00PM Monday through Friday.*

32. Q: Re: 98% uptime guarantee. The structure of the guarantee limits the downtime to 3.2 (work) hours per month. That typically is the timing of less than one service call. Could it be changed to 95% uptime guarantee?

A: *Yes, vendors are now to assume a 95% uptime guarantee in place of the 98% uptime guarantee.*

33. Q: The current RFP asks for Capital Lease pricing with a buy out. What about fair market leases?

A: *If you want to provide alternative fair market value (FMV) leasing proposal – the State will take it under consideration. All alternative proposals should be provided as additions to, not substitutions of, the required information. Bidders providing alternative leasing proposals must still submit the required Capital Lease proposal.*

34. Q: Fair market value leasing results in a vendor liability for property tax (waiver)? How will this be handled?

A: Fair market value is not the leading approach that is taken. Fair market value is an alternative proposal and is not part of the RFP.

35. Q: Staples are to be included in the monthly maintenance costs. Staple usage varies between end users. Educational agencies have significantly higher usage and Bidder's may need to provide a higher maintenance cost to cover the additional usage. Could Staples be considered separately?

A: Staples should not be considered an included consumable and will not be factored into the all-inclusive maintenance cost.

36. Q: Are Color copiers included in this MPA?

A: No.

37. Q: Why are color copiers not incorporated?

A: We have never incorporated color equipment on copier contracts. If an agency wants a color copier, the Agency must send Purchasing a requisition because color copy machines pricing can be very high.

38. Q: Regarding the Service Reporting requirements, in addition to the uptime and service criteria, customer satisfaction surveys are also required on quarterly basis. It is very time consuming to conduct end user surveys quarterly. Could this component be removed?

A: Customer satisfaction surveys and reporting will not be required.

39. Q: When will the award be made?

A: It is the State's goal to make the award 60 days from submission deadline.

40. Q: Are agencies being asked not to make further purchases until a new MPA is signed?

A: Yes, agencies cannot purchase from an expired contract. The intent is to award this contract fairly quickly, but the state has other options available, if needed. It is possible that the existing MPA could be extended for a 30-60 day period. At this point, that has not been determined.

41. Q: What about agencies considering new copiers now? How will those agencies needs be addressed between contract expiration and the award?

A: Unless considered an emergency, the agencies will be asked to refrain from acquiring new equipment between the contract expiration and new award. If deemed necessary the State may chose to issue an extension on the existing MPA until the new RFP is awarded, or act on an individual purchasing requisition.

42. Q: How many CDs should be submitted with the ten hardcopies of the proposals?

A: One CD should be submitted.

43. Q: The RFP states that the State will not be charged for any additional service changes beyond the monthly maintenance. Will there be any provisions for negligence (e.g. soda spilled on the copier, etc)?

A: To be determined on a case by case, as needed basis.